

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional)  80398P364						
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>Signature _____ Typed or printed name <u>Cathy Bachmann</u></p>		<p>In re Application of <b>Kurt Jonach, et al.</b></p> <table border="1"> <tr> <td>Application Number <u>09/696,402</u></td> <td>Filed <u>10/24/2000</u></td> </tr> <tr> <td colspan="2">For <b>IMAGE DATABASE JOG/SHUTTLE SEARCH</b></td> </tr> <tr> <td>Art Unit <u>2173</u></td> <td>Examiner <u>Nguyen, Cao H.</u></td> </tr> </table>	Application Number <u>09/696,402</u>	Filed <u>10/24/2000</u>	For <b>IMAGE DATABASE JOG/SHUTTLE SEARCH</b>		Art Unit <u>2173</u>	Examiner <u>Nguyen, Cao H.</u>
Application Number <u>09/696,402</u>	Filed <u>10/24/2000</u>							
For <b>IMAGE DATABASE JOG/SHUTTLE SEARCH</b>								
Art Unit <u>2173</u>	Examiner <u>Nguyen, Cao H.</u>							
<p>Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) <u>\$340.00</u></p> <p><input type="checkbox"/> Applicant claims small entity status under 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: _____</p> <p><input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of the fee transmittal.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>02-2666</u>. I have enclosed a duplicate copy of the fee transmittal.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p>								
<p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.</b></p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.  <input type="checkbox"/> assignee of record of the entire interest.      See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record.  <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a).      Registration number if acting under 37 CFR 1.34(a) _____.</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of _____ forms are submitted.</p>								

Based on PTO/SB/31 (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wir) 09/11/2003.  
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1/08/2004 EAREGAY1 00000024 09696402

340.00-OP

11/08/2004 EAREGAY1 00000024 09696402  
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AF/2173  
JRW

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application No.	09/696,402
		Filing Date	October 24, 2000
		First Named Inventor	Kurt Jonach
		Art Unit	2173
		Examiner Name	Nguyen, Cao H.
Total Number of Pages in This Submission	5	Attorney Docket Number	80398P364

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group		
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences		
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information		
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter		
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):		
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return postcard.		
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)			
<input type="checkbox"/> PTO/SB/08				
<input type="checkbox"/> Certified Copy of Priority Document(s)				
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application				
<input type="checkbox"/> Basic Filing Fee				
<input type="checkbox"/> Declaration/POA				
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53				
<table border="1"> <tr> <td>Remarks</td> </tr> </table>				Remarks
Remarks				

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jeffery Scott Heileson, Reg. No. 46,765  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	11/5/04

### CERTIFICATE OF MAILING/TRANSMISSION

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Typed or printed name	Cathy Bachmann		
Signature		Date	11-5-04

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 06/04/2004.  
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NOV 08 2004

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

340.00

## Complete if Known

Application Number	09/696,402
Filing Date	October 24, 2000
First Named Inventor	Kurt Jonach
Examiner Name	Nguyen, Cao H.
Art Unit	2173
Attorney Docket No.	80398P364

## METHOD OF PAYMENT (check all that apply)

Check     Credit card     Money Order     Other     None  
 Deposit Account

Deposit Account Number 02-2666  
 Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below     Credit any overpayments  
 Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	0
1002	350	2002	175	Design filing fee	0
1003	550	2003	275	Plant filing fee	0
1004	790	2004	395	Reissue filing fee	0
1005	160	2005	80	Provisional filing fee	0
SUBTOTAL (1)		(\$)			0

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
57	58*	= 0	\$0.00
10	10*	= 0	\$0.00

Multiple Dependent

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple Dependent claim, if not paid	
1204	88	2204	44	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$)			0.00

\*\*or number previously paid, if greater. For Reissues, see below

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet
2053	130	2053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	110	2251	55 Extension for reply within first month
1252	430	2252	215 Extension for reply within second month
1253	980	2253	490 Extension for reply within third month
1254	1,530	2254	765 Extension for reply within fourth month
1255	2,080	2255	1,040 Extension for reply within fifth month
1404	340	2401	170 Notice of Appeal
1402	340	2402	170 Filing a brief in support of an appeal
1403	300	2403	150 Request for oral hearing
1451	1,510	2451	1,510 Petition to institute a public use proceeding
1452	110	2452	55 Petition to revive - unavoidable
1453	1,370	2453	685 Petition to revive - unintentional
1501	1,370	2501	685 Utility issue fee (or reissue)
1502	490	2502	245 Design issue fee
1503	660	2503	330 Plant issue fee
1460	130	2460	130 Petitions to the Commissioner
1807	50	1807	50 Prosessing fee under 37 CFR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	790	1809	395 Filing a submission after final rejection (37 CFR § 1.129(a))
1810	790	2810	395 For each additional invention to be examined (37 CFR § 1.129(b))
1801	790	2801	395 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
Other fee (specify)			

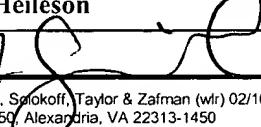
\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

340.00

## SUBMITTED BY

Name (Print/Type)	Jeffery Scott Heilesen	Registration No. (Attorney/Agent)	46,765	Telephone	(408) 720-8300
Signature				Date	11/5/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 02/10/2004.  
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